IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.12697 of 2008
NATHO SAH
Versus
THE STATE OF BIHAR

04/ 03.09.2008 Heard.

There is no specific allegation in the FIR as to who fired shots. However, the injured Gardeo Sah in paragraph 60 of the case diary has stated that it was this petitioner, who had fired shot, that hit him in his eye. Subsequently the statement of the man was recorded under Section 164 CrPC, in which he has stated that he received injury from the shot fired by accused Randhir Yadav. There is no dispute in the fact that there was injury in the eye of the injured and he had completely lost an eye ball.

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Considering the contraction as regards his assailant, let petitioner Natho Sah be released from custody on furnishing a bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Madhepura in connection with Medhepura (Baharrai) P.S. Case No. 267 of 2007.

DKS/ **(Dharnidhar Jha, J)**